

REMARKS

The specification has been amended to remove an incorrect reference to particular claim numbers.

Claims 29, 32, 36, 37, 38, 40, 46, and 47 have been amended.

Specifically, claims 29 and 38 have been amended to recite transmission of a spending authorization for a specific amount of money, as supported on page 4, lines 13-16 of the present specification, and by original claim 36. Claim 36 has been amended to remove the subject matter now incorporated into base claim 29.

Claim 32 has been amended to recite the communications features supported in the specification on page 2, lines 31-36. Claims 37 and 47 have been amended to recite the security features supported in the specification on page 5, lines 20-25, as well as, for claim 47 only, the security feature of page 7, line 11. Claim 40 has been amended to depend on claim 20 and to include the features supported in the specification on page 2, line 4. Claim 46 has been amended for clarity only.

The present amendment adds no new matter to the application.

The Rejections

Claims 29-46 stand rejected under 35 U.S.C. 103(a) as unpatentable over Gutman (U.S. Patent 5,221,838) in view of Vazvan (WO 97/45814). Claim 47 stands rejected under 35 U.S.C. 103(a) as unpatentable over Gutman in view of "Vazman as applied to claim 1" (Office Action dated June 24, 2003, page 8, line 22) (the Examiner apparently intended "Vazvan as applied to claim 29") and in further view of Kawan (U.S. Patent 5,796,832).

In view of the present amendment, Applicants respectfully traverse the present rejections and request reconsideration and allowance of the remaining claims for the following reasons.

Applicant's Arguments

A proper rejection under § 103 requires that the combined references teach all the elements of the claimed invention. Regarding the rejection of claim 29, Gutman teaches an electronic wallet for financial transactions. As admitted by the examiner, Gutman fails to teach that “an identification code from said electronic purse is transmitted when each of said connections is set” (Office Action dated June 24, 2003, page 3, lines 13-14), and as disclosed in claims 29, 38 and 40 of the present invention. Such an identification code of the present invention comprises a code particular to each purse (present specification, p. 3, lines 9-11). The examiner improperly asserts that Vazvan discloses that “an identification code from said electronic purse is transmitted when each of said connections is set,” and that in combination with Gutman, the elements of claim 29 are taught. Vazvan teaches a wireless secure payment system, including “payee’s details such as a contact code or number, account code or number, and bill” (Vazvan, p. 2, lines 30-32; see also p. 3, lines 3-7 and 26-27). Neither Gutman nor Vazvan teaches transmission of an identification code from said electronic purse, which is particular to the purse, as disclosed in the present invention.

Additionally, none of the references of record teach, or even suggest, “a transmission of a spending authorization for a specific amount of money is carried out when the third connection is set between the financial institute and the cashing device, to prevent any non-authorized spending with the electronic purse” or that “said third

device for establishing said third connection is able to transmit a spending authorization for a specific amount of money between the financial institute and the cashing device, to prevent any non-authorized spending with said electronic purse” as recited in amended claims 29 and 38, respectively

For all of the above reasons, Applicants respectfully traverse the rejection of claims 29 and 38. Because claim 29 is the only independent claim and all other claims depend on it, the claims subsequent to claim 29 are allowable for the above reasons, and applicants respectfully traverse the rejections of all of the claims. Nonetheless, additional reasons for the allowability of certain claims are set forth below.

Regarding the rejection of claim 32, none of the references of record teach “a ground relay and a telephone network” as disclosed in claim 32 as presently amended.

Regarding the rejection of claim 40, none of the references of record teach connections that “transmit in real time or almost real time” as disclosed in the claim as amended.

Regarding the rejection of claim 47, Kawan teaches a financial information and transaction system including a biometric identification file (222) and an encrypted digital signature file (224). Neither Kawan nor any other of the references of record teach that any security feature which “control[s] the restitution of a remaining amount” of funds in the purse, as disclosed in claim 47 as amended.

Conclusion

For all of the above reasons, claims 29-47 are now in condition for allowance. Therefore, Applicants respectfully request reconsideration of the application, and a prompt notice of allowance is earnestly solicited.

Questions are welcomed by the below signed attorney for the Applicants.

Respectfully submitted,

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